Amendments to the Claims:

The following listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Original) A facsimile machine provided with a remote operation mode enabling a caller from a remote device to access and retrieve data from the facsimile machine, the facsimile machine comprising:

a memory for storing the data to be accessed and retrieved by a caller during the remote operation mode;

switching means for turning on and off the remote operation mode;

facsimile reception determination means for determining which of a facsimile reception possible condition and a facsimile reception impossible condition that the facsimile machine is in; and

reception process means for performing, when the facsimile reception determination means determines that the facsimile machine is in a facsimile reception possible condition, reception of an incoming call regardless of whether the switching means has turned the remote operation mode on or off and for performing reception of the incoming call when both the facsimile reception determination means determines that the facsimile machine is in a facsimile reception impossible condition and the switching means has turned the remote operation mode on.

2. (Original) A facsimile machine as claimed in claim 1, wherein: the memory forms a plurality of mailboxes storing the data; and

the remote operation mode includes a mailbox function wherein a caller from a remote device can indicate one of the plurality of mailboxes by using a mailbox indication code transmitted from the remote device in the form of a DTMF signal and then access and retrieve data from the indicated mailbox by using a password transmitted from the remote

device in the form of a DTMF signal.

3. (Original) A facsimile machine as claimed in claim 2, wherein: the memory forms a plurality of data boxes storing the data; and

the remote operation mode includes a data box function wherein a caller from a remote device can indicate, access, and retrieve data from one of the plurality of data boxes by using a data box indication code transmitted from the remote device in the form of a DTMF signal.

4. (Original) A facsimile machine as claimed in claim 3, wherein the plurality of mailboxes are capable of storing at least one of image data and voice data.

5. (Original) A facsimile machine as claimed in claim 3, wherein the plurality of data boxes are capable of storing at least one of image data and voice data.

6. (Original) A facsimile machine as claimed in claim 2, wherein the plurality of mailboxes are capable of storing at least one of image data and voice data.

7. (Original) A facsimile machine as claimed in claim 1, wherein: the memory forms a plurality of data boxes storing the data; and

the remote operation mode includes a data box function wherein a caller from a remote device can indicate, access, and retrieve data from one of the plurality of data boxes by using a data box indication code transmitted from the remote device in the form of a DTMF signal.

8. (Original) A facsimile machine as claimed in claim 7, wherein the plurality of data boxes are capable of storing at least one of image data and voice data.

9. (Original) A facsimile machine as claimed in claim 1, wherein the facsimile reception determination means detects presence and absence of recording sheets in the facsimile machine to determine which of the facsimile reception possible condition and the facsimile reception impossible condition that the facsimile machine is in.

10. (Original) A facsimile machine as claimed in claim 9, further comprising a facsimile reception memory for storing image data of incoming facsimile transmissions, the facsimile reception determination means also detecting presence and absence of free memory to determine which of the facsimile reception possible condition and the facsimile reception impossible condition that the facsimile machine is in.

11. (Original) A facsimile machine provided with a remote operation mode enabling a caller from a remote device to access and retrieve data from the facsimile machine, the facsimile machine comprising:

a memory for storing the data to be accessed and retrieved by a caller during the remote operation mode;

switching means for turning on and off the remote operation mode;

facsimile reception determination means for determining which of a facsimile reception possible condition and a facsimile reception impossible condition that the facsimile machine is in; and

reception process means for performing, regardless of which of the facsimile reception possible condition and the facsimile reception impossible condition that the facsimile reception determination means determines that the facsimile machine is in, reception of an incoming call when the switching means has turned the remote operation mode on.

12. (Original) A facsimile machine as claimed in claim 11, wherein:

the memory forms a plurality of mailboxes storing the data; and

the remote operation mode includes a mailbox function wherein a caller from a remote device can indicate one of the plurality of mailboxes by using a mailbox indication code transmitted from the remote device in the form of a DTMF signal and then access and

retrieve data from the indicated mailbox by using a password transmitted from the remote device in the form of a DTMF signal.

13. (Original) A facsimile machine as claimed in claim 11, wherein:

the memory forms a plurality of data boxes storing the data; and

the remote operation mode includes a data box function wherein a caller from a remote device can indicate, access, and retrieve data from one of the plurality of data boxes by using a data box indication code transmitted from the remote device in the form of a DTMF signal.

14. (Currently Amended) A communication device comprising:

an output unit that outputs data received from a remote device;

an output determination unit that determines whether the output unit is ready to output;

a reception determination unit that receives an incoming call from the remote device when the reception determination unit determines that the output unit is ready to output, the reception determination unit not receiving an incoming call from the remote device when the output determination unit determines that the output unit is not ready to output; and

a reception process unit that receives an incoming call from the remote device in a specific mode regardless of a result by the output determination unit.

15. (Currently Amended) A communication device as claimed in claim 14, further comprising a remote operation unit that permits access from the remote device, and a selection unit capable of selecting the output unit or the remote operation unit, wherein when the remote operation unit is selected by the selection unit, the reception process unit connects a line with the reception determination regardless of the result by the output determination unit.

16. (Currently Amended) A communication device as claimed in claim 14, further comprising a storage device that stores the data received form the remote device, wherein when the output determination unit determines that the output unit is incapable of outputting the data, the storage device is full.

17. (Currently Amended) The communication device according to claim 14, wherein the specific mode is a remote control mode where the communication device is remotely controlled by the remote device.

18. (Currently Amended) A communication method, comprising:

a first process of determining whether data output is ready;

a second process of disabling reception of an incoming call from a remote device when it is determined that data output is not ready in the first process;

a third process of determining whether a remote control operation is enabled from the remote device; and

a fourth process of receiving an incoming call from the remote device when it is determined that the remote control operation is enabled in the third process, regardless of a result in the first process.

19. (Currently Amended) A computer-readable storage medium including a program for controlling a communication device; the computer-readable storage medium comprising:

a first step of determining whether data output is ready;

a second step of disabling reception of an incoming call from a remote device when it is determined that data output is not ready in the first step;

a third step of determining whether a remote control operation is enabled from the remote device; and

a fourth step of receiving an incoming call from the remote device when it is determined that the remote control operation is enabled in the third step, regardless of a result in the first step.

20-22. (Canceled)